

3:12 MJ 5047

AFFIDAVIT

I, Andre R. Miller, being duly sworn, depose and state that: I am a Special Agent (S/A) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), United States Department of Justice, and have been so employed since July 2007. I am a graduate of the Federal Law Enforcement Training Center and the ATF National Academy; I have conducted or assisted in numerous investigations involving armed narcotics traffickers and persons who illegally possess and/or transfer firearms.

I make this affidavit from personal knowledge based on my participation in this investigation, including witness interviews by myself and/or other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, and information outlined below is provided for the limited purpose of establishing probable cause and does not contain all details or all facts of which I am aware relating to this investigation.

I am familiar with Federal criminal laws and the following affidavit supports potential violations of:

18 USC 924(c)(1), for any person to use or carry a firearm during and in relation to a drug trafficking crime.

21 USC 841(a)(1), for any person to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense a controlled substance.

1. In August 2011, I was contacted by a confidential informant (CI) who related information regarding Christopher Johnson. The CI has previously provided information that was proved to be reliable. According to the CI, Johnson was usually armed while dealing narcotics. The CI stated that he/she has been with Johnson during narcotics transactions and often observed Johnson with a firearm. The CI related that Johnson lives in an apartment building off Jackman Road in Toledo, Ohio.
2. On August 31, 2011, I had an intelligence query conducted on Christopher Johnson. The intelligence query indicated that Johnson resides at 1358 Brooke Park, Apt 7, Toledo, Ohio.
3. On September 1, 2011, I showed the CI a photograph of Christopher Johnson. The CI indicated that this was the subject that he/she was referring to as Christopher Johnson who was dealing narcotics and is known to carry a firearm.
4. On September 1, 2011, I went to 1358 Brooke Park, Toledo, Ohio. I made contact with Johnson in the common area of the apartment building. I purchased a Sturm Ruger, model Mark III, .22 caliber pistol, serial number 27098135 from Johnson for \$200.00. During the transaction, I observed Johnson enter the upstairs, northeast apartment, which was clearly marked with a "7" on the door, and return with a firearm case.

AKM

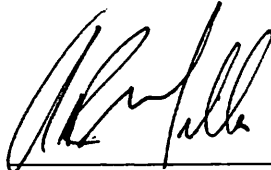
3:12 MJ 5047

5. On January 3, 2012, I went to 1358 Brooke Park, Apt. 7, Toledo, Ohio. I made contact with Johnson in his apartment. I purchased approximately 3.5 grams of crack-cocaine for \$150.00 and a Kimbel Industries, model 5000, .32 caliber revolver, serial number G28961 for \$200.00 from Johnson. The crack-cocaine purchased from Johnson field tested positive for the presence of cocaine.
6. On January 13, 2012, I went to 1358 Brooke Park, Apt. 7, Toledo, Ohio. I made contact with Johnson in his apartment. I purchased approximately 7 grams of crack-cocaine for \$300.00 and approximately 3.5 grams of marijuana for \$45.00 from Johnson. The crack-cocaine purchased from Johnson field tested positive for the presence of cocaine.
7. On March 27, 2012, I went to 1358 Brooke Park, Apt. 7, Toledo, Ohio. I made contact with Johnson in his apartment. I purchased approximately 7 grams of marijuana for \$80.00 and a Sturm Ruger, model Mark II Target, .22 caliber pistol, serial number 21322817 for \$150.00 from Johnson. During the transaction, Johnson told me that he maintains a firearm in his home.
8. All the transactions with Johnson listed above were electronically monitored and recorded.
9. Based upon my experience and training as a law enforcement officer, I know that it is common for those people who are engaged in the distribution of controlled substances to possess firearms. They do this for many reasons, including protecting themselves from being "ripped-off" by other drug dealers and their customers, to enforce their deals, and to intimidate others. Firearms are likely to be more or less permanently possessed by drug dealers, and if possessed one week at a suspect's residence are likely to be possessed the following week. Firearms are not a drug dealer's inventory, they are his tools.

AR-1

3:12 MJ 5047

10. Based upon the above information, I believe probable cause exists that there is present on the property of 1358 Brooke Park, Apt 7, Toledo, Ohio drugs and/or drug trafficking paraphernalia in violation of Title 21 United States Code, Section 841(a)(1) and firearm/s in violation of Title 18 United States Code, Section 924(c)(1).



Andre R. Miller
Special Agent, ATF

Sworn to before me, and
Subscribed in my presence

3/30/2012

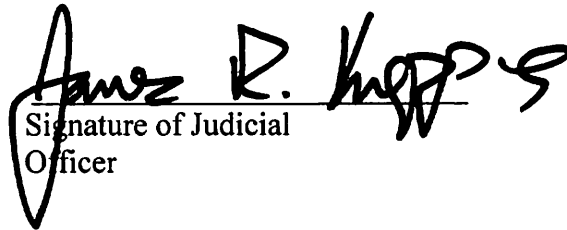
Date

in

Toledo, Ohio

City and State

James R. Knepp, II
U.S. Magistrate Judge
Name and Title of Judicial
Officer



Signature of Judicial
Officer